

Legal Protection for People with Disabilities in Indonesia in the Perspective of Justice Theory



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ARTICLE INFORMATION

History of Article

Submitted : December 06, 2021
Revised : February 28, 2022
Accepted : June 25, 2022

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Conflicting Interest Statement

All authors declared that there is no potential conflict of interest on publishing this article.

Funding

None

Publishing Ethical and Originality Statement

All authors declared that this work is original and has never been published in any form and in any media, nor is it under consideration for publication in any journal, and all sources cited in this work refer to the basic standards of scientific citation.

Cite this article as:

Mangku, D. G. S., Rai Yulianti, N. P., & Lasmawan, I. W. (2022). Legal Protection for People with Disabilities in Indonesia in the Perspective of Justice Theory. *Unnes Law Journal: Jurnal Hukum Universitas Negeri Semarang*, 8(2), 245-262. <https://doi.org/10.15294/ulj.v8i2.52406>

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ABSTRACT. Respect, protection and fulfillment of the rights of persons with disabilities are the obligations of the state. This is also confirmed in Law Number 39 of 1999 concerning Human Rights, so that society has the responsibility to respect the rights of Persons with Disabilities. During this time, Persons with Disabilities have experienced a lot of discrimination which results in not fulfilling the implementation of the rights of persons with disabilities. The passing of Law Number 19 of 2011 concerning the Ratification of the Convention on the Rights of Persons with Disabilities on November 10, 2011, showed that the commitment and seriousness of the Indonesian Government to respect, protect and fulfill the rights of persons with disabilities which in turn are expected to improve the welfare of persons with disabilities. This study confirmed and highlighted that legal protection for people with disabilities has been provided in several laws and regulation both national and international legal system. The implementation and fulfillment of the rights of persons with disabilities is aimed at realizing a higher quality, fairer, physically and mentally prosperous, and dignified standard of life for persons with disabilities. In addition, the implementation and fulfillment of rights are also aimed at protecting persons with disabilities from neglect and exploitation, harassment and all discriminatory acts, as well as human rights violations.

KEYWORDS. People with Disabilities, Justice, Legal Protection, Human Rights

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Introduction

In the amendment to the 1945 Constitution of the Republic of Indonesia the fourth amendment, Chapter XA regulates Human Right¹, the addition of the Human Rights formula and guarantees of respect, protection, implementation and advancement in the 1945 Constitution not solely because of the desire to accommodate developments. a view of human rights which is increasingly considered to be important as a global issue, but because it is one of the conditions of a rule of law.

With the human rights formulation in the 1945 Constitution, constitutionally the human rights of every citizen and population of Indonesia have been guaranteed.² In this connection, the Indonesian people have the view that human rights must pay attention to the characteristics of Indonesia

¹ J A G Cooper and John McKenna, "Social Justice in Coastal Erosion Management: The Temporal and Spatial Dimensions," *Geoforum* 39, No. 1 (2008): 294–306.

² Endah Rantau Itasari, "Equality And Non Discrimination Principles In Providing Rights With Disabilities," *Jurnal Komunikasi Hukum (JKH)* 6, No. 2 (2020): 534–41.

and a human right must also be balanced with obligations so that it is hoped that mutual respect and respect for the human rights of each party will be created.³ One of the aspects of the human rights formulation that is included in the 1945 Constitution is human rights related to social welfare. Equal rights and obligations for all citizens in all aspects of life and livelihood are a prerequisite for achieving social welfare for all Indonesian people.⁴

The Republic of Indonesia which is based on Pancasila and the 1945 Constitution of the Republic of Indonesia respects and upholds human dignity.⁵ Human rights as basic rights that are naturally inherent in humans, are universal and lasting, are also protected, respected and defended by the Republic of Indonesia, so that the protection and promotion of human rights, including for vulnerable groups, especially persons with disabilities, also need to be improved.⁶

In the historical range, the Indonesian nation officially declared human rights first compared to the United Nations (UN) Universal Declaration of Human Rights, because the Preamble to the 1945 Constitution of the Republic of Indonesia was officially promulgated on 18 August 1945 while the Universal Declaration of Rights UN Human Rights in 1948. This is a fact that shows the world that the Indonesian nation, prior to the achievement of the UN human rights statement, actually raised human rights in the country.⁷

Indonesia as a member of the United Nations has the obligation to implement various international human rights instruments that have been accepted by Indonesia, including the Vienna Declaration of 1993 and the Convention on the Rights of Persons with Disabilities which was ratified by Law Number 19 of 2011 concerning Ratification of the Convention on the Rights of Persons with Disabilities. This makes Indonesia a part of the global community that is committed to making every effort to realize the elimination

³ Ni Putu Rai Yulianti and Dewa Gede Sudika Mangku, "Legal Protection for Women Victims of Trafficking in Indonesia in an International Human Rights Perspective," *International Journal of Criminology and Sociology* 9 (2020): 1397–1404.

⁴ Dewa Gede Sudika Mangku, "Perlindungan Hukum Terhadap Anak-Anak Disabilitas Terkait Hak Pendidikan Di Kabupaten Buleleng," *Jurnal Magister Hukum Udayana (Udayana Master Law Journal)* 9, No. 2 (2020): 353–65.

⁵ Faissal Malik et al., "Legal Protection for People with Disabilities in the Perspective of Human Rights in Indonesia," *International Journal of Criminology and Sociology* 10 (2021): 538–47.

⁶ Ridwan Arifin and Lilis Eka Lestari, "Penegakan Dan Perlindungan Hak Asasi Manusia Di Indonesia Dalam Konteks Implementasi Sila Kemanusiaan Yang Adil Dan Beradab," *Jurnal Komunikasi Hukum (JKH)* 5, No. 2 (2019): 12–25.

⁷ Ketut Arianta, Dewa Gede Sudika Mangku, and Ni Putu Rai Yulianti, "Perlindungan Hukum Bagi Kaum Etnis Rohingya Dalam Perspektif Hak Asasi Manusia Internasional," *Jurnal Komunitas Yustisia* 3, No. 2 (2020): 166–76.

LEGAL PROTECTION FOR PEOPLE WITH DISABILITIES

Law and Gender, Law and Policy, Human Rights Law

of all forms of discrimination and to ensure the participation of persons with disabilities in every aspect of life. The mandate of the Vienna Declaration and the Convention on the Rights of Persons with Disabilities emphasize that every country forms and implements a National Action Plan related to human rights.⁸

The passing of Law Number 19 Year 2011 concerning the Ratification of the Convention on the Rights of Persons with Disabilities on November 10, 2011 shows the commitment and seriousness of the Indonesian Government to respect, protect and fulfill the rights of persons with disabilities which in turn are expected to improve the welfare of persons with disabilities. Thus, persons with disabilities have the right to be free from torture or cruel, inhuman, degrading treatment, free from exploitation, violence and abuse, and the right to receive respect for their mental and physical integrity based on equality with others, including in it the right to get protection and social services in the context of independence, as well as in an emergency. Therefore, the Government is obliged to realize the rights contained in the convention, through adjustments to laws and regulations, including ensuring the fulfillment of the rights of persons with disabilities in all aspects of life such as education, health, work, politics and governance, culture and tourism, and the use of technology. information, and communication.⁹

Meanwhile, obstacles in terms of socio-cultural as well as physical and non-physical accessibility are still experienced by people with disabilities in Indonesia. The large number of persons with disabilities come from economically weak families. This causes persons with disabilities to have less access to basic services, namely education and health. In terms of education, there are still many schools that do not want to accept people with disabilities to go to school there due to health reasons and lack of infrastructure. This causes persons with disabilities to be less able to achieve higher education, which in turn has an impact on the level of welfare and involvement in public decision making. Access to health services is also an obstacle that people with disabilities have often encountered.

⁸ Dewa Gede Sudika Mangku, "Suatu Kajian Umum Tentang Penyelesaian Sengketa Internasional Termasuk Di Dalam Tubuh ASEAN," *Perspektif* 17, No. 3 (2012): 150–61.

⁹ A Reni Widyastuti, "Peran Hukum Dalam Memberikan Perlindungan Terhadap Perempuan Dari Tindak Kekerasan Di Era Globalisasi," *Mimbar Hukum-Fakultas Hukum Universitas Gadjah Mada* 21, No. 2 (2009): 395–408.

In terms of social and political rights, problems that are often experienced by persons with disabilities in Indonesia are related to public services, the right to participate in social life. Population administration, for example KTP, or other population certificates, although in general it can be obtained by persons with disabilities, however, people with disabilities often have to depend on their family management due to lack of access to public service buildings. Persons with disabilities in Indonesia feel neglected and discriminated against by the local government, especially in access to education and employment.¹⁰

With so many people with disabilities who are discriminated against, the Indonesian government must immediately do something to anticipate this, the Government of Indonesia must be able to provide a sense of security, comfort and respect for persons with disabilities. Therefore, a regulation is needed that protects and fulfills the rights of persons with disabilities so that they are able to participate equally in society.¹¹

Another form of discrimination that persons with disabilities experience is related to the difficulty of getting a job and even though they have already found a job, it is not uncommon for persons with disabilities to experience discrimination in the workplace. A clear protection is needed for legal protection for persons with disabilities, in order to realize legal certainty and so that all rights of workers with disabilities can be fulfilled. In addition, there is also a need for clarity of regulations as the basis for protection for workers with disabilities, so that all certain groups, especially employers and the general public, have a high awareness that protection for workers with disabilities cannot be ruled out.¹² Law Number 13 of 2003 concerning Manpower is a guideline for employers in determining policies in providing protection for workers. In protecting the rights of persons with disabilities, it will be related to and in accordance with various laws and regulations related to and in accordance with various laws and regulations related to the realization of the rights of persons with disabilities.

¹⁰ Malik et al., "Legal Protection for People with Disabilities in the Perspective of Human Rights in Indonesia."

¹¹ Suharto Suharto, Pim Kuipers, and Pat Dorsett, "Disability Terminology and the Emergence of 'diffability' in Indonesia," *Disability & Society* 31, No. 5 (2016): 693–712.

¹² Itasari, "Equality And Non Discrimination Principles In Providing Rights With Disabilities."

Methods

Research is the main means of developing science, including technology. Research aims to reveal the truth systematically, methodologically, and consistently. Thus, the research was conducted through analysis and construction of existing data.¹³ Research is an effort to explore an object that is unclear, obscure, or even without explanation for it. A logical and systematic study of the principles that guide scientific research (methodology), is intended as a basic principle and not as a method (method or design for conducting research).¹⁴

Searching for new things through research in order to find, develop, and test the truth of knowledge.¹⁵ The search through this research must of course meet scientific principles in order to find answers to a matter, problem, situation, fact or symptom faced by humans. This truth-seeking requires a scientific method in order to find truth based on logical considerations.

Legal research based on the notion of a legal system as stated by Lawrence Friedman consists of three elements, first, legal substance which consists of norms, rules, legal principles, doctrine, and statutory regulations, second, legal structure is the process of forming and implementing law, consisting of law-making, legal bureaucracy, law enforcement, and judicial institutions, including the program, and third, legal culture which is a form of public appreciation of the law. with regard to where, when, and how people obey and deviate from the law based on their values. Based on Friedman's view, legal research is a study of the phenomenon of law which is limited to research on norms, rules and principles as legal substances, the application of law through the understanding of legal structures, and legal observations in their interactions in society as a legal culture.

Normative legal research is research related to the substance of the law, and empirical research (sociology) is research related to the structure and culture of law.¹⁶ Bernard Arief Sidharta argues, that normative legal research (legal dogmatic, rechtsdogmatiek), scientific activities include inventory, explanation, interpretation, and systematization including evaluation of the

¹³ Sriyono Sriyono and Amin Purnawan, "Legal Protection Of Participants Applications For Land Certificates Through Complete Systematic Land Registration (PTSL) In Blora Regency," *Jurnal Daulat Hukum* 3, No. 1 (2020): 171–78.

¹⁴ Maria S W Sumardjono, "Pedoman Pembuatan Usulan Penelitian," 1989.

¹⁵ Muslan Abdurrahman, "Sosiologi Dan Metode Penelitian Hukum" (Malang: UMM Press, 2009).

¹⁶ Abdurrahman.

overall positive law (authoritative text) that applies in society or the state. Supported by concepts (meanings), categories, theories, classifications, and methods specially formed and developed to carry out this activity. All activities are directed at preparing efforts to find juridical solutions to micro and macro legal problems that occur in society.¹⁷

This research is a descriptive study, which is a study that aims to provide as accurate a data as possible regarding Legal Protection for People with Disabilities in Indonesia in the Perspective of Justice Theory. This research is an evaluative and prescriptive research. It is said that the research is evaluative because this research intends to provide an in-depth analysis of legal protection for persons with disabilities in Indonesia, while this research is prescriptive because this research will also provide the right solutions based on the principles of international law and human rights law based on justice for persons with disabilities. In terms of objectives, this legal research is normative and literary legal research.

Legal Protection for People with Disabilities in Indonesia in the Perspective of Justice Theory

With the escalation of discrimination against groups of persons with disabilities increasingly fierce, human beings are then made aware of the importance of recognizing that they are human beings equal to other human beings, equal in rights and free in making choices. Therefore, there are special rights for groups of people with disabilities.¹⁸ Special rights are not privileges, but these rights are given so that people with disabilities are able to maintain their distinctive identity, characteristics and traditions. Special rights as well as non-discriminatory treatment are equally important to achieve equal treatment. Therefore, the principles of equality and non-discrimination are very important in human rights.¹⁹

In terms of regulations, the principle of equality and non-discrimination is contained in several instruments, both at international and regional levels (which are designated for a particular region, namely Africa, America (North

¹⁷ Sulaiman Sulaiman, "Paradigma Dalam Penelitian Hukum," *Kanun Jurnal Ilmu Hukum* 20, No. 2 (2018): 255–72.

¹⁸ Yogi Zul Fadhli, "Kedudukan Kelompok Minoritas Dalam Perspektif HAM Dan Perlindungan Hukumnya Di Indonesia," *Jurnal Konstitusi* 11, No. 2 (2016): 352–70.

¹⁹ Aisulu Sabyr et al., "The Role of International Conventions and Covenants in Achieving Economic and Environmental Justice: A Conceptual Review," *Journal of Legal, Ethical and Regulatory Issues* 22, No. 2 (2019): 1–8.

LEGAL PROTECTION FOR PEOPLE WITH DISABILITIES

Law and Gender, Law and Policy, Human Rights Law

America, South America and the Caribbean), Asia, and Oceania (South Pacific) sub -regional (such as Southeast Asia) and national (limited to the country concerned). In the international context the provisions of equal rights and non-discrimination are contained in the UN Charter Article 1 paragraph (3), in which the United Nations organization and its members have the objective: "to establish international cooperation for solve international problems in the economic, social, cultural or humanitarian fields, as well as in efforts to promote and promote respect for human rights and basic freedoms of all human beings regardless of race, sex, language or religion."²⁰

In Article 55 letter c the UN Charter mandates that the United Nations promote: "Respect for human rights throughout the universe as well as their realization and basic freedoms for all, without distinction of race, sex, language or religion."

In the classic document of the Universal Declaration of Human Rights (UDHR), Article 2 and Article 6 states: Article 2 reads.²¹ : "Everyone has the right to all rights and freedoms contained in this declaration without any exceptions, such as differences. race, color, gender, language, religion, politics or other views, origin or society, property rights, birth or other status. Furthermore, no distinction is allowed on the basis of political, legal or international position of the country or region from which a person comes, whether from an independent country, guardianship territories, colonies or from areas under other sovereign boundaries ". Article 6 reads: "Everyone is equal before the law and has the right to the same protection of the law without discrimination. All have the right to equal protection against any form of discrimination contrary to this Declaration and against any incitement that leads to discrimination ".

The principle of non-discrimination is also found in the International Covenant on Economic, Social and Cultural Rights. Article 2 paragraph (2) reads: "The states parties to this covenant promise to guarantee that the rights contained in this covenant will be enforced without any distinction such as race, color, sex, language, religion, political opinion or other opinion, national or social origin, ownership, descent or other status. "

²⁰ Jati Nugroho, "Legal Pluralism as a Conflict Resolution Alternative of Law State and Local Wisdom in Water Resources Management Based on Social Justice (Case Study: In the Community of Water User Farmers the Regency of Lumajang East Java Province)," *JL Pol'y & Globalization* 40 (2015): 86.

²¹ Joseph Wasonga, "National Heritages, Global Capital Accumulation and Collective Socioeconomic Impact: A Critique of Tourism Industry in Kenya," *Journal of Tourism Challenges and Trends* 8, No. 2 (2015): 55–77.

In addition, it is also found in International Covenant Civil and Political Rights (ICCPR) Article 2 paragraph 1. It states: "Every state party to this covenant promises to respect and guarantee the rights recognized in this covenant for all individuals residing in its territory and residing in under its jurisdiction, without distinction of any kind, such as race, color, sex, language, religion, political views or other views, national or social origin, property rights, birth status or other status. " Meanwhile Article 26 states: "All people are equal before the law and have the right, without any discrimination to the same protection of the law."²² In this regard the law must prohibit any discrimination, and ensure equal and effective protection for all people against discrimination on any basis such as race, color, sex, language, religion, politics or other opinion, national or social origin, property. objects, birth status or other status ”.

Persons with disabilities are obliged to be given protection based on the principle of justice which is regulated in the rule of law, for example in the classic document of the Universal Declaration of Human Rights (UDHR), Articles 2 and 6 emphasize that everyone has the right to all rights and freedoms contained in this declaration without exception. anything, such as differences in race, color, sex, language, religion, politics or other views, origin or society, property rights, birth or other status. Furthermore, no distinction is allowed on the basis of the political, legal or international position of the country or region from which a person comes, whether from an independent country, guardianship territories, colonies or from areas under other sovereign boundaries, then Everyone is equal in before the law and entitled to equal protection of the law without discrimination. All are entitled to equal protection against any form of discrimination contrary to this Declaration and against any incitement that leads to discrimination.²³

In International Covenant Civil and Political Rights (ICCPR) Article 2 paragraph 1. It states: "Every state party to this covenant promises to respect and guarantee the rights recognized in this covenant for all individuals residing in its territory and under its jurisdiction, without differentiation of any kind, such as race, color, sex, language, religion, political views or other views, national or social origin, property rights, birth

²² Stefan C Dombrowski, Karen L Gischlar, and Theo Durst, "Safeguarding Young People from Cyber Pornography and Cyber Sexual Predation: A Major Dilemma of the Internet," *Child Abuse Review: Journal of the British Association for the Study and Prevention of Child Abuse and Neglect* 16, No. 3 (2007): 153–70.

²³ Adnan Buyung Nasution, *Instrumen Internasional Pokok Hak Asasi Manusia* (Yayasan Obor Indonesia, 1997).

LEGAL PROTECTION FOR PEOPLE WITH DISABILITIES

Law and Gender, Law and Policy, Human Rights Law

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Meanwhile, in the context of the national law of the country of Indonesia, apart from the ICCPR which has been ratified by Law Number 12 of 2005, the principle of non-discrimination is also contained in several laws and regulations, including the 1945 Constitution, Law Number 39 of 1999 concerning Human Rights. (Article 3 paragraph (3)), Law Number 23 of 2002 concerning Child Protection (Article 2 letter a), Law Number 23 of 2004 concerning the Elimination of Domestic Violence (Article 3 letter c), and Law Number 40 of 2008 concerning the Elimination of Racial and Ethnic Discrimination. The 1945 Constitution which is the Indonesian constitution as previously described in Articles 28 D and 28 I confirms that: Article 28 D which reads: "(1) Everyone has the right to recognition, guarantee, protection and legal certainty that is just and equal treatment before the law ". Article 28 I paragraph (2) which states: "Everyone has the right to be free from discriminatory treatment on any basis and is entitled to protection against such discriminatory treatment".²⁵

Law Number 39 of 1999, which is one of the barometers of respect, protection and fulfillment of human rights in Indonesia Article 3 paragraph (3) mandates that everyone has the right to protection of human rights and human freedoms, without discrimination. Law Number 39 of 1999 concerning Human Rights provides legal certainty for the protection of human rights for everyone. Persons with disabilities are human beings, so human rights for persons with disabilities must be protected and their needs fulfilled. Based on the Law of the Republic of Indonesia Number. 39 of 1999 concerning Human Rights in CHAPTER I, General Provisions Article 1, Human Rights are a set of rights inherent in the essence of human existence as a creature of God Almighty and are His gifts that must be respected, upheld and protected by state, law, government and everyone for the honor and protection of human dignity. Respect and dignification of human rights is a

²⁴ Michael Haas, *International Human Rights: A Comprehensive Introduction* (Routledge, 2013).

²⁵ Suharto, Kuipers, and Dorsett, "Disability Terminology and the Emergence of 'diffability' in Indonesia."

noble thing. The existence of mutual respect, tolerance among fellow creatures of God Almighty, can always provide a sense of peace to anyone in this world.²⁶

The government, society based on the law are obliged to protect and uphold human rights, so that the principles, benefits and equality inherent in all human beings are carried out properly, so that there is no more discrimination. What he wants to explain is that the peoples and nations of the world are diverse, diverse in their physical habitats, cultural traditions, values, cosmology and views about humans and the world. "The statement contained in the Preamble to the Universal Declaration of Human Rights which was received and announced by the UN General Assembly on December 10, 1948 through resolution No. 217 (III). One of the sentences which states "considering, that recognition of the natural dignity and the equal and inalienable rights of all members of the human family is the basis of freedom, justice and world peace. Considering that human rights need to be protected by legal regulations, so that people are not forced to choose the path of rebellion as a last resort to oppose tyranny and colonialism."

These sentences are guidelines for regulations regarding human rights which are also adapted to the legal needs of the community and the development of a national law based on Pancasila and the 1945 Constitution which is embodied in the Law of the Republic of Indonesia Number 39 of 1999 concerning Human Rights. The conception of human rights, which initially emphasized vertical relations, was mainly influenced by the history of human rights violations that were mainly committed by the state, both against civil-political rights as well as economic, social and cultural rights. As a consequence, apart from being the government's duty, the main obligation to protect and promote human rights lies with the government. We can see this from the formulations in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights, which constitute state recognition of human rights as the substance of the three instruments.²⁷

²⁶ Nugroho, "Legal Pluralism as a Conflict Resolution Alternative of Law State and Local Wisdom in Water Resources Management Based on Social Justice (Case Study: In the Community of Water User Farmers the Regency of Lumajang East Java Province)."

²⁷ Khudzaifah Dimyati and Angkasa Angkasa, "Victimological Approaches to Crime of Rape in Indonesian Criminal Justice System," *Hasanuddin Law Review* 4, No. 3 (2019): 366–76.

LEGAL PROTECTION FOR PEOPLE WITH DISABILITIES

Law and Gender, Law and Policy, Human Rights Law

Consequently, it is the state that is burdened with the obligation to protect and promote human rights. The state's obligation is emphasized in the preamble "Considering" both in the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. In national law, Article 28I paragraph (4) of the 1945 Constitution states that the protection, advancement, enforcement and fulfillment of human rights are the responsibility of the state, especially the Government.²⁸

Fulfillment and protection of the rights of persons with disabilities are all actions and / or activities to guarantee and protect the constitutional rights of persons with disabilities in accordance with human dignity and to avoid acts of violence and discrimination. The objectives of protecting and fulfilling the rights of persons with disabilities include: increasing the level of welfare, quality and survival and independence of persons with disabilities; (a) increase the social and economic resilience of persons with disabilities; (b) increase the capacity, concern and responsibility of the Provincial Government, the business community and the community in protecting and fulfilling the rights of persons with disabilities in an institutional and sustainable manner; and (c) improve the quality of life and livelihoods of persons with disabilities.²⁹

From the explanation above, the 1945 Constitution has explicitly protected the constitutional rights of persons with disabilities in the context of "everyone" and as part of "citizens". In addition, people with disabilities are also allowed to get affirmative action or the right to convenience and special treatment in the context of fulfilling rights. constitutionality. These two concepts must be understood and absorbed in the formation of laws and regulations as well as policies as an implementation of the provisions of the 1945 Constitution.

Respect, protection and fulfillment of the rights of persons with disabilities are the obligations of the state. This is also confirmed in Law Number 39 of 1999 concerning Human Rights, so that society has the responsibility to respect the rights of Persons with Disabilities. During this time, Persons with Disabilities have experienced a lot of discrimination

²⁸ William Nikolakis and R Quentin Grafton, "Law versus Justice: The Strategic Aboriginal Water Reserve in the Northern Territory, Australia," *International Journal of Water Resources Development* 38, No. 1 (2022): 11–29.

²⁹ Dewa Gede Sudika Mangku and Ni Putu Rai Yuliartini, "Fulfillment of Labor Rights for Persons with Disabilities in Indonesia," *International Journal of Criminology and Sociology* 10 (2021): 272–80.

which results in not fulfilling the implementation of the rights of persons with disabilities. So far, the regulation regarding persons with disabilities is regulated in Law Number 4 of 1997 concerning Persons with Disabilities, but this regulation does not have a human rights perspective.³⁰ The content material in Law Number 4 of 1997 concerning persons with disabilities is more charity based and the fulfillment of the rights of persons with disabilities is still considered a social problem whose fulfillment policies are only in the form of social security, social rehabilitation, social assistance, and improvement of social welfare. . Persons with disabilities should have equal opportunities in efforts to develop themselves through independence as human beings with dignity.³¹

The passing of Law Number 19 Year 2011 concerning the Ratification of the Convention on the Rights of Persons with Disabilities on November 10, 2011 shows the commitment and seriousness of the Indonesian Government to respect, protect and fulfill the rights of persons with disabilities which in turn are expected to improve the welfare of persons with disabilities.³² Thus, persons with disabilities have the right to be free from torture or cruel, inhuman, degrading treatment, free from exploitation, violence and abuse, and the right to receive respect for their mental and physical integrity based on equality with others, including in it the right to get protection and social services in the context of independence, as well as in an emergency. Therefore, the Government is obliged to realize the rights contained in the convention, through adjustments to laws and regulations, including ensuring the fulfillment of the rights of persons with disabilities in all aspects of life such as education, health, work, politics and governance, culture and tourism, and the use of technology. information, and communication.

Conclusion

Fulfillment and protection of the rights of persons with disabilities are all actions and / or activities to guarantee and protect the constitutional rights of persons with disabilities in accordance with human dignity and to avoid

³⁰ Adya Paramita Prabandari and Elfia Farida, "Human Rights and Legal Protection of Persons with Disabilities in Aviation Industry in Indonesia.," *Medico-Legal Update* 21, No. 1 (2021).

³¹ Mangku and Yulianti, "Fulfillment of Labor Rights for Persons with Disabilities in Indonesia."

³² Mangku and Yulianti.

LEGAL PROTECTION FOR PEOPLE WITH DISABILITIES

Law and Gender, Law and Policy, Human Rights Law

acts of violence and discrimination. The objectives of protecting and fulfilling the rights of persons with disabilities include: increasing the level of welfare, quality and survival and independence of persons with disabilities; (a) increase the social and economic resilience of persons with disabilities; (b) increase the capacity, concern and responsibility of the Provincial Government, the business community and the community in protecting and fulfilling the rights of persons with disabilities in an institutional and sustainable manner; and (c) improve the quality of life and livelihoods of persons with disabilities. The implementation and fulfillment of the rights of persons with disabilities is aimed at realizing a higher quality, fairer, physically and mentally prosperous, and dignified standard of life for persons with disabilities. In addition, the implementation and fulfillment of rights are also aimed at protecting persons with disabilities from neglect and exploitation, harassment and all discriminatory acts, as well as human rights violations. Fulfillment of equal opportunities for persons with disabilities in all aspects of state and community administration, respect, protection and fulfillment of the rights of persons with disabilities, including the provision of accessibility and adequate accommodation.

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LEGAL PROTECTION FOR PEOPLE WITH DISABILITIES

Law and Gender, Law and Policy, Human Rights Law

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